

## PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

**Case No. 00-581**

In re Application of:

Nix et al.

Serial No.: 09/872,904

Filed: May 31, 2001

For: PACKET-SWITCHED TELEPHONY  
CALL SERVER

Group Art Unit: TBA

Examiner: TBA

Commissioner for Patents  
Washington, D.C. 20231

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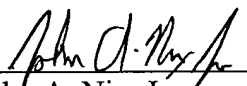
**DECLARATION OF JOHN A. NIX, JR.**

I, John A. Nix, Jr. declare as follows:

1. I have personal knowledge of the following facts, and if called to testify, I would and could testify competently to the matters set forth herein.
2. I am an officer of Go2Call.com, Inc. and I reside at 1471 West Byron Street, Unit 2, Chicago, Illinois 60613. My title is "Secretary." In addition to "John A. Nix, Jr.," I am also known as "John A. Nix."
3. The application titled "Packet-Switched Telephony Call Server" and having application number 09/872,904 names as inventors myself (John A. Nix), Brian C. Wiles, and Jeffrey S. Mumma.
4. Named inventors Jeffrey S. Mumma and myself have executed declarations under 37 C.F.R. 1.63, copies of which are attached as Exhibit A. To my knowledge, named inventor Brian C. Wiles has not executed such a declaration.

5. Named inventors Jeffrey S. Mumma and myself have executed assignments assigning all right and title in the 09/872,904 application to Go2Call.com, Inc. Copies of these assignments are attached as Exhibit B.
6. On information and belief, on March 22, 2000, Brian C. Wiles executed EMPLOYEE PROPRIETARY INFORMATION AGREEMENT.
7. Paragraph 2.b. of the EMPLOYEE PROPRIETARY INFORMATION AGREEMENT is directed generally to the obligation of the signing employee to assign all "right, title, and interest in" inventions made using company resources to Go2Call.com, Inc.
8. Go2Call.com, Inc. has contacted Brian C. Wiles on at least three instances, through mailed correspondence, electronic mail, and/or telephone communications initiated by myself and/or by James Interlandi, General Counsel of Go2Call.com, Inc., in an effort to obtain Brian C. Wiles' signature on the declaration under 37 C.F.R. §1.63 for the 09/872,904 application.
9. The last known address for Brian C. Wiles is 2640 Cambridge Road, #3, Cameron Park, California 95682.
10. Go2Call.com, Inc. has not received from Brian C. Wiles an executed declaration under 37 C.F.R. §1.63 for the 09/872,904 application.

I declare under penalty of perjury that the foregoing is true and correct, and that this declaration was executed on the 30<sup>th</sup> day of January 2002 in Evanston, Illinois.

  
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John A. Nix, Jr.  
Secretary (Officer)  
Go2Call.com, Inc.